

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**STACY RYAN,**

**Plaintiff,**

**vs.**

**CONSTANCE CONNIE RYAN, AND  
STRECK, INC.,**

**Defendants.**

**8:15CV312**

**MEMORANDUM  
AND ORDER**

This matter is before the Court on Plaintiff Stacy Ryan's Motion to Alter or Amend the Judgment (Filing No. 28). Stacy Ryan filed the motion on July 12, 2016. The following day, July 13, 2016, Stacy Ryan filed a Notice of Appeal (Filing No. 32).

"The general rule is that the filing of a notice of appeal 'confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.'" *In re Fisette*, 695 F.3d 803, 806 (8th Cir. 2012) (quoting *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982)). Consequently, Stacy Ryan's Motion to Alter or Amend the Judgment will be denied. See Fed. R. Civ. P. 62.1(a) ("If a timely motion is made for relief that the court lacks authority to grant because of an appeal that has been docketed and is pending, the court may . . . deny the motion . . ."). Accordingly,

IT IS ORDERED: Plaintiff Stacy Ryan's Motion to Alter or Amend the Judgment (Filing No. 28) is denied.

Dated this 14th day of July, 2016

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge